

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SLEEPING WELL, LLC, a Vermont limited
liability corporation,

Plaintiff,

v.

ST. PAUL FIRE AND MARINE INSURANCE
COMPANY,

Defendant.

No. C 10-3658 CW

ORDER GRANTING
PLAINTIFF'S MOTION
TO SEAL
(Docket No. 100)

Plaintiff Sleeping Well, LLC, moves for leave to file under seal portions of its opposition to Defendant St. Paul Fire and Marine Insurance Company's motion for summary judgment, Exhibit 5 of Su Declaration in support thereof, portions of the Webster Declaration and Exhibits A, B, C, D and E of the Webster Declaration. Exhibit 5 of the Su Declaration was designated confidential by Defendant, which has filed a declaration in support of Plaintiff's motion to seal.

The documents sought to be filed under seal are connected with a dispositive motion. Thus, the parties "must overcome a strong presumption of access by showing that 'compelling reasons supported by specific factual findings . . . outweigh the general history of access and the public policies favoring disclosure.'" Pintos v. Pac. Creditors Ass'n, 605 F.3d 665, 679 (9th Cir. 2010) (citation omitted). This cannot be established simply by showing that the document is subject to a protective order or by stating in general terms that the material is considered to be confidential, but

1 rather must be supported by a sworn declaration demonstrating with
2 particularity the need to file each document under seal. Civ. L.R.
3 79-5(a).

4 Plaintiff's motion to seal is GRANTED. (Docket No. 100.) In
5 accordance with General Order 62, Plaintiff shall electronically
6 file under seal Exhibits A, B, C, D and E of the Webster
7 Declaration; Exhibit 5 of the Su Declaration and unredacted
8 versions of its opposition and the Webster Declaration.

9 IT IS SO ORDERED.

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11 Dated: July 5, 2011



CLAUDIA WILKEN
United States District Judge